

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE

Misc. No.: 22-mc-51836  
Hon. Matthew F. Leitman

- Miscellaneous Jewelry (22-FBI-005144)
- \$71,129.00 U.S. Currency from the residence at 717 E. Eleven Mile, Royal Oak, MI; \$1,109.00 U.S. Currency located in a bottom cabinet, \$70,020.00 U.S. Currency located in a bag (22-FBI-005145)
- Miscellaneous Firearms and Ammunition (22-FBI-005153)
- Miscellaneous Electronics (22-FBI-005154)
- \$4,260.00 U.S. Currency from the person of Pacino Horne at 6989 Chimney Hill, #3004, West Bloomfield, MI (22-FBI-005155)
- Miscellaneous Jewelry (22-FBI-005156)
- Miscellaneous Firearms and Ammunition (22-FBI-005159)

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**STIPULATED ORDER EXTENDING UNITED STATES' TIME  
TO FILE FORFEITURE COMPLAINT AND TO TOLL THE CIVIL  
FILING DEADLINE**

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It is hereby stipulated by and between the United States of America, by and through its undersigned attorneys, and Pacino Horne (“claimant”), by and through his attorney, W. Otis Culpepper, (collectively, the “parties”) as follows:

1. On June 17, 2022, Federal Bureau of Investigation (“FBI”) seized the following property:

- Miscellaneous Jewelry (22-FBI-005144);

- \$71,129.00 U.S. Currency from the residence at 717 E. Eleven Mile, Royal Oak, MI; \$1,109.00 U.S. Currency located in a bottom cabinet, \$70,020.00 U.S. Currency located in a bag (22-FBI-005145);
- Miscellaneous Firearms and Ammunition (22-FBI-005153);
- Miscellaneous Electronics (22-FBI-005154);
- \$4,260.00 U.S. Currency from the person of Pacino Horne at 6989 Chimney Hill, #3004, West Bloomfield, MI (22-FBI-005155);
- Miscellaneous Jewelry (22-FBI-005156); and
- Miscellaneous Firearms and Ammunition (22-FBI-005159)

(collectively referred to herein as the “Property”).

2. The Parties acknowledge and stipulate that FBI provided notice as required by 18 U.S.C. § 983(a)(1)(A) of the seizure and its intent to administratively forfeit the Property to all known interested parties, including to the claimant.

3. The claimant filed a claim in the administrative forfeiture proceeding with FBI regarding the Property. No other person has filed a claim to the Property in the administrative forfeiture proceeding.

4. FBI referred the administrative claim to the United States Attorney’s Office for civil judicial forfeiture proceedings.

5. Pursuant to 18 U.S.C. § 983(a)(3)(A) and (B), within 90 days after a claim has been filed in an administrative forfeiture proceeding, the United States is required to do one of the following:

- (a) file a complaint for forfeiture against the claimed property,
- (b) return the claimed property, or

(c) include the claimed property for forfeiture in a criminal action, in order for the United States to take further action to effect the civil forfeiture of the claimed property in connection with the underlying offense, unless the court extends the deadline for good cause shown or by agreement of the parties. In this case, the 90-day deadline would be **December 16, 2022**.

6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend the 90-day deadline set forth in 18 U.S.C. § 983(a)(3)(A) and (B), and to toll the deadline, in order for the parties to have a reasonable and sufficient period in which to evaluate their respective interests in and positions regarding the Property.

7. The claimant knowingly, intelligently, and voluntarily gives up any rights he may have under 18 U.S.C. § 983(a)(3)(A) and (B) to require the United States to file a complaint for forfeiture against the Property, to return the Property, and/or to include the Property for forfeiture in a criminal action by **December 16, 2022**.

8. The parties agree that the deadline by which the United States shall be required to file a complaint for forfeiture against the Property, to return the Property, and/or to include the Property for forfeiture in a criminal action to toll the civil filing deadline shall be extended **90 days** from **December 16, 2022** to and including **March 16, 2023**.

9. The claimant waives all constitutional and statutory challenges related to the foregoing extension and gives up any rights he may have to seek dismissal of any civil forfeiture complaint and/or any criminal forfeiture allegation in a criminal action on the ground that forfeiture proceedings were not timely commenced. The claimant further waives and agrees to the tolling of any rule or provision of law limiting the time for commencing, or providing notice of, forfeiture proceedings with respect to the Property, including, but not limited to, the limitations contained in 18 U.S.C. § 983 and 19 U.S.C. § 1621.

10. The claimant agrees that until the United States files a complaint for forfeiture against the Property and/or alleges forfeiture of the Property in a criminal action, or until **March 16, 2023**, whichever occurs first, the Property shall remain in the custody of the United States and the claimant shall not seek its return for any reason in any manner.

11. By signing below, W. Otis Culpepper declares that prior to signing this Stipulation, he provided a copy of it to the claimant, reviewed it with the claimant, consulted with the claimant regarding its contents, answered any questions the claimant had about it, determined that the claimant understands its terms and is aware of its rights in this matter, and the claimant authorized W. Otis Culpepper to sign this Stipulation.

12. By their signatures below, the parties agree to all of the terms and conditions stated herein.

Approved as to form and substance:

Dawn N. Ison  
United States Attorney

s/Gjon Juncaj  
Gjon Juncaj (P63256)  
Assistant United States Attorney  
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Detroit, MI 48226  
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Dated: December 8, 2022

s/W. Otis Culpepper (with consent)  
W. Otis Culpepper  
Attorney for Pacino Horne  
615 Griswold St. Ste 1300  
Detroit, MI 48226  
(313) 963-5310  
staff\_culpepper@sbcglobal.net

Dated: December 9, 2022

**IT IS SO ORDERED.**

/s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: December 12, 2022